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**IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FIFTH APPELLATE DISTRICT**

E.P.,

Petitioner,

v.

THE SUPERIOR COURT OF KERN
COUNTY,

Respondent;

KERN COUNTY DEPARTMENT OF
HUMAN SERVICES,

Real Party in Interest.

F058797

(Super. Ct. Nos. JD120300-00,
JD120301-00, & JD120302-00)

OPINION

THE COURT*

ORIGINAL PROCEEDINGS; petition for extraordinary writ review. Marc
Widelock, Temporary Judge. (Pursuant to Cal. Const., art. VI, § 21)

E.P., in pro. per., for Petitioner.

No appearance for Respondent.

B.C. Barmann, Sr., County Counsel and Mark L. Nations, Deputy County
Counsel, for Real Party in Interest.

*Before Levy, Acting P.J., Kane, J., and Poochigian, J.

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Petitioner in propria persona seeks an extraordinary writ (Cal. Rules of Court, rule 8.452 (rule 8.452)) from respondent court's order issued at a six-month review hearing terminating her reunification services and setting a Welfare and Institutions Code section 366.26¹ hearing as to her three minor children. We conclude her petition fails to comport with the procedural requirements of rule 8.452. Accordingly, we will dismiss the petition as facially inadequate.

STATEMENT OF THE CASE AND FACTS

In February 2009, the Kern County Department of Human Services (department) took petitioner's 12, five, and one-year-old children into protective custody because of her daily use of methamphetamine, failure to provide adequate shelter and food, and failure to obtain treatment for her mental illness.

In April 2009, the juvenile court exercised its dependency jurisdiction over the children and ordered the department to provide petitioner six months of reunification services, consisting of substance abuse counseling, mental health counseling, and random drug and alcohol testing. The court set the six-month review hearing for October 2009.

In the interim, petitioner made no effort to participate in her court-ordered services and continued to test positive for methamphetamine. In August 2009, she was arrested for violating probation.

In October 2009, at the six-month review hearing, the juvenile court terminated petitioner's reunification services and set a section 366.26 hearing to implement a permanent plan for the children. Petitioner did not personally appear but was represented by counsel. This petition ensued.

¹ All further statutory references are to the Welfare and Institutions Code unless otherwise indicated.

DISCUSSION

Rule 8.452 requires that a dependency writ petition include a memorandum setting forth a summary of the significant facts and points of contention supported by argument and citation to the appellate record and authority. (Rule 8.452(b).) In this case, petitioner does not assert a claim of juvenile court error. Rather, she asks for additional time to reunify with her children because of her incarceration. Real party in interest argues the petition should be dismissed as facially inadequate under rule 8.452. We concur that dismissal is appropriate in this case.

DISPOSITION

The petition for extraordinary writ is dismissed. This opinion is final forthwith as to this court.